

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1379 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning labor
- 3 and safety and to make an appropriation.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 2-5-30 IS ADDED TO THE INDIANA CODE AS
- 7 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2009]:
- 9 **Chapter 30. Unemployment Insurance Solvency Advisory**
- 10 **Committee**
- 11 **Sec. 1. As used in this chapter, "committee" refers to the**
- 12 **unemployment insurance solvency advisory committee established**
- 13 **by section 3 of this chapter.**
- 14 **Sec. 2. As used in this chapter, "fund" refers to the**
- 15 **unemployment insurance benefit fund established by IC 22-4-26-1.**
- 16 **Sec. 3. The unemployment insurance solvency advisory**
- 17 **committee is established.**
- 18 **Sec. 4. (a) The committee shall do all of the following:**
- 19 **(1) Monitor the solvency of the fund.**
- 20 **(2) Make recommendations of improvements to increase the**
- 21 **solvency of the fund.**
- 22 **(3) Make a report annually to the legislative council**
- 23 **concerning the solvency of the fund. The report must be in an**
- 24 **electronic format under IC 5-14-6.**
- 25 **(4) Study and make recommendations concerning approaches**
- 26 **taken by other states to improve the solvency of**
- 27 **unemployment insurance benefit trust funds, including the**
- 28 **indexing of:**
- 29 **(A) unemployment benefits; and**
- 30 **(B) the taxable wage base.**
- 31 **(b) A committee recommendation does not take effect unless**

1 enacted by the general assembly.

2 **Sec. 5. (a) The committee consists of the following members:**

3 (1) Two (2) members of the house of representatives
4 appointed by the speaker of the house of representatives. The
5 members appointed under this subdivision may be members
6 of the same political party.

7 (2) One (1) member of the house of representatives appointed
8 by the minority leader of the house of representatives.

9 (3) Two (2) members representing organized labor who are
10 nominated by the AFL-CIO and appointed by the speaker of
11 the house of representatives.

12 (4) Two (2) members of the senate appointed by the president
13 pro tempore of the senate. The members appointed under this
14 subdivision may be members of the same political party.

15 (5) One (1) member of the senate appointed by the minority
16 leader of the senate.

17 (6) Two (2) members appointed by the president pro tempore
18 of the senate as follows:

19 (A) One (1) member representing large employers in the
20 state.

21 (B) One (1) member representing small employers in the
22 state.

23 (7) The commissioner, or the commissioner's designee, who
24 serves as an ex-officio nonvoting member.

25 (b) If a vacancy on the committee occurs, the person who
26 appointed the member whose position is vacant shall appoint an
27 individual to fill the vacancy using the criteria in subsection (a).

28 (c) The speaker of the house of representatives shall appoint one
29 (1) of the members appointed by the speaker as a cochair of the
30 committee. The president pro tempore of the senate shall appoint
31 one (1) of the members appointed by the president as a cochair of
32 the committee.

33 **Sec. 6. (a) The legislative services agency shall provide**
34 **administrative support for the committee. At the request of the**
35 **legislative services agency, the department of workforce**
36 **development established by IC 22-4.1-2-1 shall assign staff to**
37 **provide research and other support to assist the legislative services**
38 **agency in providing administrative support to the committee.**

39 (b) There is annually appropriated to the legislative services
40 agency from the state general fund money necessary for the
41 operation of the committee.

42 **Sec. 7. Six (6) committee members constitute a quorum. The**
43 **affirmative votes of at least six (6) committee members are**
44 **necessary for the committee to take official action.**

45 **Sec. 8. The committee shall meet at the call of both cochairs and**
46 **at other times as the committee considers necessary.**

47 **Sec. 9. (a) Each member of the committee who is not a state**
48 **employee or is not a member of the general assembly is entitled to**

the following:

- (1) The salary per diem provided under IC 4-10-11-2.1(b).
- (2) Reimbursement for traveling expenses as provided under IC 4-13-1-4.
- (3) Other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the committee who is a state employee but not a member of the general assembly is entitled to the following:

- (1) Reimbursement for traveling expenses as provided under IC 4-13-1-4.
- (2) Other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each member of the committee who is a member of the general assembly is entitled to the same:

- (1) per diem;
- (2) mileage; and
- (3) travel allowances;

paid to legislative members of interim study committees established by the legislative council."

Page 79, between lines 16 and 17, begin a new paragraph and insert:
"SECTION 62. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "department" refers to the department of workforce development established by IC 22-4.1-2-1.

(b) As used in this SECTION, "fund" refers to the unemployment insurance benefit fund established under IC 22.4-26-1.

(c) As used in this SECTION, "committee" refers to the unemployment insurance solvency advisory committee established by IC 2-5-30-3, as added by this act.

(d) The commissioner of the department shall not later than thirty (30) days after the effective date of this SECTION:

- (1) initiate changes to eligibility and other requirements of the state's existing unemployment insurance system in order for the state to qualify for the maximum amount available under the federal economic stimulus package law, unless the cost of implementing the changes, including the negative fiscal impact on the fund, exceeds the maximum amount available to the state under the federal economic stimulus package as the result of the state making the changes; and
- (2) submit in an electronic format under IC 5-14-6 to the legislative council, the committee (after June 30, 2009), the speaker of the house of representatives, and the president pro tempore of the senate a report that provides the following:

(A) Details of the commissioner's actions taken, or the

- 1 **commissioner's decision not to initiate changes, under**
 2 **subdivision (1).**
 3 **(B) Recommendations for any legislation necessary to**
 4 **modify the state's unemployment insurance system in**
 5 **order for the state to qualify for amounts available under**
 6 **the federal economic stimulus package law.**
 7 **(C) An analysis of the fiscal impact to the fund of:**
 8 **(i) the commissioner's actions taken, or the**
 9 **commissioner's decision not to initiate changes, under**
 10 **subdivision (1); and**
 11 **(ii) the legislation recommended under clause (B), if the**
 12 **legislation is enacted.**
 13 **(e) This SECTION expires July 1, 2011."**
 14 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1379 as printed March 20, 2009.)

Senator TALLIAN